

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 ACDA-07 AGRE-00 AID-05 CEA-01 CEQ-01
CG-00 CIAE-00 CIEP-01 COME-00 DLOS-06 DODE-00 DOTE-00
EB-08 EPA-01 ERDA-05 FEAE-00 FMC-01 TRSE-00 H-01
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NSF-01 OES-06 OMB-01 PA-01 PM-04 PRS-01 SP-02 SS-15
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INFO AMEMBASSY LONDON

AMEMBASSY MOSCOW

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C O N F I D E N T I A L SECTION 1 OF 2 OSLO 432

E.O. 11652: GDS

TAGS: EFIS, PBOR, NO

SUBJ: FISHING IN DISPUTED NORWEGIAN/SOVIET BOUNDARY AREA IN BARENTS
SEA

REF: OSLO 105

BEGIN SUMMARY: NORWEGIAN OFFICIALS ADVISE THAT AGREEMENT WAS
REACHED IN PRINCIPLE WITH SOVIETS IN EARLY JANUARY ON MAIN OUTLINES
OF ARRANGEMENT FOR FISHING IN 200- MILE ECONOMIC ZONE IN THE DISPUTED
BARENTS SEA BOUNDARY AREA. AGREEMENT PROVIDES FOR EACH OF THE TWO
PARTIES TO POLICE ITS OWN SHIPS AND FOR THE TWO PARTIES JOINTLY TO
POLICE MOST THIRD COUNTRY VESSELS. SOVIETS ALSO FLOATED IDEA OF
EXPANDING AREA TO WHICH AGREEMENT WOULD APPLY WEST OF THEIR
BOUNDARY CLAIM SO AS NOT TO PREJUDICE THE BOUNDARY IN THE AREA.
NORWEGIANS INDICATED THEIR AGREEMENT, PROVIDED SIMILAR EXPANSION
MADE TO EAST OF THEIR BOUNDARY LINE CLAIM. DETAILS OF ENFORCE-
MENT, DIVISION OF QUOTA FOR THIRD COUNTRY FISHING BETWEEN NORWEGIAN
AND SOVIET ECONOMIC ZONES, AND OTHER PROBLEMS ARE TO BE WORKED
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OUT AT ANOTHER MEETING WHICH NORWEGIANS HOPED WOULD BE HELD
BEFORE THE END OF JANUARY. END SUMMARY.

1. NORWEGIANS ARE OPTIMISTIC THAT AN INTERIM AGREEMENT ON
FISHING IN THE DISPUTED BOUNDARY AREA IN THE BARENTS SEA OUT
TO 200 MILES(THE SO-CALLED GRAY ZONE) CAN BE WORKED OUT WITH
THE SOVIETS. LOS MINISTER EVENSEN DISCUSSED AGREEMENT WITH

SOVIET FISHERIES MINISTER ISHKOV IN MOSCOW JANUARY 4-8, 1977 AND REACHED AGREEMENT IN PRINCIPLE ON A NORWEGIAN PROPOSAL PROVIDING THAT (A) NORWEGIAN SHIPS IN THE AREA WILL BE POLICED BY NORWAY, AND RUSSIAN SHIPS BY THE USSR; (B) THIRD COUNTRY SHIPS WITH FISHING RIGHTS IN THE ECONOMIC ZONES OF BOTH NORWAY AND THE USSR WILL BE POLICED JOINTLY; (C) THIRD COUNTRY VESSELS LICENSED BY EITHER NORWAY OR THE USSR BUT NOT BY BOTH WILL BE POLICED BY THE LICENSING COUNTRY. HALF OF CATCH OF EACH THIRD COUNTRY WITH BOTH NORWEGIAN AND SOVIET FISHING RIGHTS WOULD BE CHARGED TO ITS QUOTA FROM NORWAY AND HALF OF ITS QUOTA FROM THE USSR. CATCH IN AREA OF COUNTRIES WITH QUOTA JUST FOR NORWAY OR USSR WOULD BE CHARGED ENTIRELY TO THAT COUNTRY'S QUOTA.

2. NORWEGIANS AND SOVIETS ALSO AGREED TO TRY TO HARMONIZE THEIR FISHING REGULATIONS FROM STOCKS WHICH ARE COMMON TO THE AREAS OF JURISDICTION OF BOTH COUNTRIES AND TO BASE THEM ON NEAFC REGULATIONS. DETAILS ARE TO BE WORKED OUT DURING A MEETING IN OSLO WHICH NORWAY HAD EXPECTED WOULD BE HELD BEFORE THE END OF JANUARY. HOWEVER, A DATE FOR THIS MEETING HAS NOT YET BEEN AGREED UPON, AND DIRECTOR GENERAL FOR LEGAL AFFAIRS IN FOREIGN MINISTRY ELIASSEN NOW BELIEVES IT WILL NOT BE HELD BEFORE MID-FEBRUARY. FOR THE TIME BEING, NORWAY IS ONLY APPLYING ITS FISHING REGULATIONS TO NORWEGIAN VESSELS FISHING IN THE GRAY ZONE ON THE UNDERSTANDING THE SOVIETS WILL SHOW CORRESPONDING RESTRAINT.

3. IN ADDITION, ISHKOV SUGGESTED ON LAST DAY OF MEETING ON A PERSONAL AND CONFIDENTIAL BASIS, ACCORDING TO LOS UNDER SECRETARY TREHOLT, THAT GRAY ZONE MIGHT BE EXTENDED SOMEWHAT TO WEST OF CONFIDENTIAL

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THE SOVIET BOUNDARY LINE CLAIM. ISHKOV REPORTEDLY SAID HE WAS ADVANCING THE SUGGESTION IN ORDER FURTHER TO AVOID PREJUDICING THE QUESTION OF THE LOCATION OF THE BOUNDARY IN THE AREA. EVENSEN AGREED IN PRINCIPLE WITH THE SUGGESTION, PROVIDED THERE WAS SIMILAR EXTENSION TO EAST OF NORWAY'S BOUNDARY LINE CLAIM.

4. TREHOLT SAID THAT ISHKOV ADVANCED HIS SUGGESTION AFTER HE ALLEGED HE HAD SPOKEN TO KOSYGIN ABOUT FISHERY MATTERS AND THE TALKS WITH NORWAY. HE BELIEVES, THEREFORE, THAT PROPOSAL HAS KOSYGIN'S BACKING, ALTHOUGH HE IS UNSURE TO WHAT EXTENT SOVIET FOREIGN AND DEFENSE MINISTRIES WERE ON BOARD. THEY DELAY SCHEDULING RESUMPTION OF THE TALKS AFTER ISHKOV WENT SO FAR AS TO OFFER TO COME TO OSLO ON JANUARY 13 AND 14 (EVENSEN HAD ALREADY SCHEDULED TALKS WITH THE EEC THEM) IS, HOWEVER, BOTHERSOME TO NORWEGIANS, AS ELIASSEN PUTS IT: "ISHKOV WENT VERY FAR IN ACCEPTING NORWAY'S PROPOSALS, AND IT WOULD BE ASTONISHING IF HE PULLED BACK. BUT, WHAT IS THE DELAY ABOUT?" MEANWHILE, TREHOLT SAYS THE NORWEGIAN CABINET HAS ENDORSED ISHKOV'S SUGGESTION.

5. KNOTTY ISSUE OF HOW TO REFER TO GRAY ZONE IN JOINT COMMUNIQUE
ISSUED FOLLOWING MEETING WAS RESOLVED BY CALLING IT "AND ADJACENT
AREA BETWEEN THE TWO COUNTRIES".

6. ANOTHER DIFFICULT ISSUE RELATED LESS DIRECTLY TO FISHING
IN THE ADJACENT AREA IS DIVISION OF THE 150,000 TON QUOTA LOCATED
BY NORWAY AND THE USSR TO THIRD COUNTRY TRAWLERS FOR FISHING
IN NORWEGIAN AND BARENTS SEAS. THIS QUOTA WAS AGREED UPON
DURING A MEETING IN DECEMBER OF THE JOINT NORWEGIAN/SOVIET
FISHERIES COMMISSION. ITS DIVISION WAS DISCUSSED BUT NOT
RESOLVED BY EVENSEN AND ISHKOV IN MOSCOW IN JANUARY.

7. BOTH NORWAY AND THE USSR WANT AS LARGE A SHARE OF THIS
QUOTA AS POSSIBLE SO AS TO MAXIMIZE WHAT EACH HAS TO TRADE
WITH OTHER COUNTRIES FOR RECIPROCAL RIGHTS, AND NORWEGIANS
ALSO ARGUE THAT EMPHASIS SHOULD BE PLACED ON CATCHING MATURE
COD OFF NORWAY RATHER THAN THE YOUNGER, SMALLER COD FOUND ELSE-
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WHERE PRIOR TO MIGRATION TO THE NORWEGIAN COAST. HOWEVER,
NORWEGIANS SAY QUESTION MAY BE OF EVEN GREATER IMPORTANCE TO
SOVIETS WHO ARE MORE DEPENDENT THAN THEY ARE ON DISTANT WATER
FISHING AND WHO CATCH MORE IN EEC ECONOMIC ZONE THAT DO EEC
COUNTRIES IN THE BARENTS SEA OFF THE USSR. THIS MAY LIE
BEHIND BELIEF OF DEPUTY LEGAL DIRECTOR IN FOREIGN MINISTRY TRESSELT
THAT SOVIETS HAVE DECIDED TO REACH AN AGREEMENT WITH NORWAY
ON ADJACENT AREA IN ORDER TO BE FREE TO CONCENTRATE ON REACHING
A FISHING AGREEMENT WITH THE EEC.

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INFO OCT-01 ISO-00 ACDA-07 AGRE-00 AID-05 CEA-01 CEQ-01
CG-00 CIAE-00 CIEP-01 COME-00 DLOS-06 DODE-00 DOTE-00
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NSF-01 OES-06 OMB-01 PA-01 PM-04 PRS-01 SP-02 SS-15
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FM AMEMBASSY OSLO
TO SECSTATE WASHDC 3126
INFO AMEMBASSY LONDON
AMEMBASSY MOSCOW
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8. SOVIETS MAY ALSO HOPE THAT A FORTHCOMING ATTITUDE TOWARD FISHING IN ADJACENT AREA MAY MAKE EASIER AN EARLY FAVORABLE DIVISION WITH NORWAY OF THE 150,000 TON COD QUOTA FOR USE BY THIRD COUNTRIES. SUCH A DIVISION IS NECESSARY FOR A SOVIET/EEC FISHING AGREEMENT.

9. IN ADDITION SOVIETS MAY BE DELAYING ESTABLISHMENT OF A 200-MILE ECONOMIC ZONE IN THEIR PART OF THE BARENTS SEA WITH AN EYE TO FISHING TALKS WITH THE EEC. NORWEGIAN LOS AMBASSADOR VINDENES HAS TOLD US HIS IMPRESSION FROM MOSCOW TALKS IS THAT SOVIETS WISH TO REACH AN AGREEMENT WITH NORWAY ON FISHING IN THE ADJACENT AREA BEFORE ESTABLISHING THEIR BARENTS SEA ECONOMIC ZONE.

10. MEANWHILE, LOS AND FISHING AUTHORITIES REPORT THAT MOST COUNTRIES ARE COMPLYING WITH NORWAY'S REGULATIONS FOR FISHING IN ITS ECONOMIC ZONE EVEN THOUGH REGULATIONS WERE NOT ISSUED UNTIL DECEMBER 27, 1976. HOWEVER, SOME COUNTRIES, INCLUDING THE SOVIETS, ARE REPORTED NOT TO HAVE BEGUN REPORTING OF FISHING IN THE ZONE YET, AND THE NORWEGIAN FISHERIES DIRECTORATE REPORTED IN MID-CONFIDENTIAL

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JANUARY THAT A LARGE PART OF THE SOVIET TRAWLER FLEET MOVED EASTWARD AND WAS FISHING IN THE ADJACENT AREA.

1. LOS UNDER SECRETARY TREHOLT IS REPORTED TO HAVE TOLD THE PRESS THE LACK OF SOVIET COMPLIANCE WITH NORWEGIAN FISHING REGULATIONS WAS PROBABLY OWING TO THE ONGOING TALKS BETWEEN NORWAY AND THE USSR OVER FISHING IN THE ADJACENT AREA AND THIRD COUNTRY QUOTAS. IN ADDITION, FOREIGN MINISTRY DIRECTOR GENERAL FOR LEGAL AFFAIRS ELIASSEN TOLD EMBOFF THAT NORWEGIANS ARE NOT ALARMED BY AMOUNT OF SOVIET FISHING IN ADJACENT AREA WHERE BOTH BRITISH AND SOVIETS HAVE TRADITIONALLY COUGHT A LARGE SHARE OF THEIR COD, ALTHOUGH THEY CONCEDE THAT IT MAY BE NECESSARY FOR CONSERVATION REASONS TO PUT AN OVERALL LIMIT OF 20,000 TONS ON COD CAUGHT THERE. ALL THIRD COUNTRIES WHICH NORWAY WILL ALLOW TO CONTINUE TO FISH IN ITS ECONOMIC ZONE HAVE BEEN ADVISED THAT ANY FISH CAUGHT AFTER JANUARY 1 WILL COUNT AGAINST THEIR QUOTAS FOR 1977.

12. QUESTION OF A FISHERIES PRESERVATION ZONE (FPZ) AROUND SVALBARD WAS NOT DISCUSSED DURING MOSCOW TALKS AND IS STILL BEING CONSIDERED BY NORWEGIAN CABINET. ELIASSEN CONFIRMED

IT IS NOW UNLIKELY TO BE DECIDED UPON UNTIL THE SPRING--AFTER SETTLEMENT OF FISHING IN THE ADJACENT ZONE HAS BEEN WORKED OUT. "WE HAVE TOO MANY BALLS IN THE AIR WITH THE SOVIETS NOW WITHOUT ADDING ANOTHER," ELIASSEN SAYS. A COMPLICATING FACTOR IS AN INDICATION BY THE SOVIETS DURING THE MOSCOW TALKS THAT THEY WOULD ESTABLISH A 200 MILE ECONOMIC ZONE AROUND NOVAYA, SEMLYA, AND FRANZ JOSEF LAND. ELIASSEN CONCEDES THAT SUCH A ZONE WILL OVERLAP THE FPZ AND NORWAY'S MEIDAL LINE BOUNDARY CLAIM AND SAYS THAT THE OVERLAPPING AREA IS A MAJOR SUMMER CAPELIN FISHERY. ONLY THE USSR AND NORWAY FISH FOR CAPELIN IN BARENTS SEA AND THERE IS NO TOTAL ALLOWABLE CATCH (TAC) FOR THIS FISHERY. HOWEVER, ELIASSEN SAYS SOVIETS APPEAR TO PLAN GREAT INCREASE IN FISHING FOR CAPELIN, AND SEPARATE ARRANGEMENTS FOR FISHING IN OVERLAPPING AREA MAY STILL HAVE TO BE WORKED OUT IF TAC FOR CAPELIN CATCH IN BARENTS AND NORWEGIAN SEAS BECOMES NECESSARY OR IF THE USSR AND OTHERS

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ACTIVELY CONTEST
THE NONDISCRIMINATORY REGIME NORWAY SAYS IT PLANS TO INSTITUTE IN THE FPZ.

13. COMMENT: IT IS IMPOSSIBLE TO GUAGE THE JUSTIFIABILITY OF NORWEGIAN OPTIMISM THAT AGREEMENT ON FISHING IN THE ADJACENT AREA WILL BE REACHED WITH THE USSR. FAILURE TO SET A DATE FOR RESUMPTION OF THE TALKS MAY MEAN THAT ISHKOV HAS RUN INTO DIFFICULTY WITHIN THE SOVIET GOVERNMENT WITH ACCEPTANCE OF NORWAY'S PROPOSAL AND/OR HIS OWN SUGGESTION. AN AGREEMENT ALONG THE LINES PROPOSED, NO MATTER HOW HEDGED WITH CONDITIONS THAT IT DOES NOT PREJUDICE QUESTION OF THE BOUNDARY, CONSTITUTES DE FACTO RECOGNITION THAT THERE IS A DISPUTED BOUNDARY AND BOUNDARY AREA, SOMETHING SOVIETS HAVE NEVER ADMITTED. THIS IN TURN MAY CREATE DIFFICULTIES WITH DESCRIPTION BY USSR OF WESTERN EXTENT OF A SOVIET BARENTS SEA ECONOMIC ZONE.

14. IF TALKS ARE RESUMED ON BASIS OF NORWEGIAN /ISHKOV PROPOSALS, MAIN DIFIFICULTIES WILL E DIVISION BETWEEN NORWAY AND USSR OF COD QUOTA FOR THIRD COUNTRIES AND SYSTEM OF POLICING THIRD COUNTRIES IN THE ADJACENT AREA. NORWEGIANS SAY THEY ARE FLEXIBLE ABOUT DETAILS OF POLICING SYSTEM, AS LONG AS IT IS EVENLY BALANCED, AND AGREE THAT SOME SORT OF JOINT COORDINATING BODY MAY BE NECESSARY.

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Message Attributes

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